

Garvin Wayne Jones II
227594
CUCF
PO BOX 550
Gunnison UT

United States District Court
District of Utah

Lodged
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Richard Chad Randall
(Plaintiff)

Amicus Curiae Filing

OCT 30 2024

U.S. DISTRICT COURT

v.

Case No 4:19-CV-380N

State of Utah Et al
(Defendants)

Judge David Nuffer

I Garvin Wayne Jones II, inmate # 227594, being housed at the CUCF facility, am filing this memorandum as a friend of the court to recount my own personal experience with prison officials restricting publications.

I assert that on 10/20/2024 I attempted to acquire approval from my housing admin to purchase the Book "I can't say no to the lonely girl." which was denied on the grounds that it is rated Mature. (see the attached "Package Authorization Form" and their hand-written denial, which I submit to be added as an additional exhibit to captioned case.)

I also assert that the aforementioned book is a one-time publication that is a self-contained story in a graphic novel/manga form, and is rated by the publisher as "OT" (Older Teen: meaning appropriate for 16 years old +). The court can independently

Verify this with a simple Google image search for "I can't say no to the lonely girl back cover" as I did while researching to ensure it was not rated as Adults Only (AO).

In the interest of candor, the book is marked Adults Only in its description in Edward R. Hamilton Bookseller Company's catalog. However, this company regularly mislabels books rated OT as Adults Only. Making independent verification or review necessary.

Prior to purchase of "I can't say no to the lonely girl," and as is customary in my housing unit, I requested authorization to buy it during the weekly meeting called O.M.R. (Offender Management Review). The officials in attendance, without the book in their possession for review, denied my request to be authorized to purchase it. When I asked them about this, they stated that the prisons mailroom staff had been contacted and reported back that - Were it to be purchased - they would deny its delivery.

While I do not know the extent of their research, even if we presume that they had online access to every page, and we were to further presume that it contained some level of nude cartoon depictions, Manga comics are mainstream material that do not "feature" nudity.

This can be shown by the way "I can't say no to the lonely girl" promotes itself:

6075770 I CAN'T SAY NO TO THE LONELY GIRL 1. By Kashikaze. Ayaka is the model student at her elite high school. However, she can't resist accepting an unsavory bribe from her teacher. Ayaka must lure the truant student Sora into attending school in exchange for an amazing reward. Adults Only. B&W. 180 pages. Kodansha. Paperbound. Pub. at \$ 13.99 \$ 9.95

Furthermore, this book can be found within the Edward R Hamilton Comics Catalog for August 16, 2024 under the category "Manga & Anime." While the catalog advertises Hentai ~~(Sexually Explicit)~~ (sexually explicit Mangas) in a separate section categorized as "Adult Comics & Art."

I will leave it to the court to decide the constitutional implications of government officials denying publications rated as suitable for minors, before even having the material in front of them. As well as it being an example of the prison's definition of "Features Nudity."

Signed this 25th day of October, 2024


Garvin Wayne Jones II

UTAH DEPARTMENT OF CORRECTIONS
DIVISION OF PRISON OPERATIONS
PACKAGE PRE-AUTHORIZATION FORM

No F 20021

Inmate's Name: (Print) Garvin Jones Date: 10/20/24

Housing Unit: Gale A43 Offender # 227594

Identify the item(s) that you would like to have authorized for receipt through the U.S. Postal system:
Follow this example when listing: **Quantity / Brand and Model / Color**

Item 1/ I can't say No to the lonely girl / Book Item _____

Item _____ Item _____

Item _____ Item _____

Item _____ Item _____

Item _____ Item _____

--I fully understand that I am authorized only to receive the items and quantity of package which is not identified and authorized above shall be removed and returned to sender at the inmate's expense or donated to charity.

--I also understand that it is my responsibility to alert the package sender of those listed on this form. It is also my responsibility to inform the package sender that the form must be securely attached to the outside of the package.

RATED
MATURE

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zation

Identify the sender of the item(s) you are seeking to receive

Sender's Name: Edward R Hamilton

Full Address of Sender: PO Box 15 Falls Village CT 06031-0015

Garvin Jones
INMATE SIGNATURE (If for commissary purchase,
Inmate signature authorizes the transfer of funds).

10/20/24
Date

[Signature]
Officer Witness Signature

10-20-2024
DATE

DY/DLD
Print Officer Name

CAPTAIN/DESIGNEE SIGNATURE

DATE

PRINT CAPTAIN/DESIGNEE

This contract is for a one (1) time use only.

UTAH DEPARTMENT OF CORRECTIONS
DIVISION OF PRISON OPERATIONS
PROPERTY CONTRACT

DATE: 10/20/24

Garvin Jones
INMATE NAME

227594
OFFENDER #

Gale A43
HOUSING UNIT/CELL ASSIGNMENT

3L
CLASSIFICATION LEVEL

1L5
PRIVILEGE LEVEL

| ITEM # | Qty | ITEM DESCRIPTION | APPROVED | DENIED | NOTES (OFFICE USE ONLY) | Sent Date |
|----------|----------|--|--------------------------|-------------------------------------|-------------------------|--------------------|
| <u>1</u> | <u>1</u> | <u>I Can't Say No To the Lonely Girl</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>RATED MATRINE</u> | <u>[Signature]</u> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | | |

COMMENTS:

STIPULATION: This contract must be used within 30 days after approval. After 30 days a new contract will be required.

COMMISSARY NOTE: Commissary will process the listed products on your housing unit's scheduled Commissary day. If there are no funds on your unit's scheduled processing day, you will need to supply another Property Contract for those items. Failure to have funds on your account may result in a negative C-note or OMR referral. If a product is out of stock, Commissary will continue to process the items for 30 days after receiving the Property Contract.

CONTRACT EXPIRATION/REVIEW DATE: _____

Garvin Jones II
INMATE SIGNATURE (If for commissary purchase,
Inmate signature authorizes the transfer of funds).

10/20/24
Date

[Signature]
Officer Witness Signature

10-20-2024
DATE

DYALA
Print Officer Name

CAPTAIN/DESIGNEE SIGNATURE

DATE

PRINT CAPTAIN/DESIGNEE

THIS MEMO IS A ONE (1) TIME USE ONLY